

REMARKS/ARGUMENTS

Applicants have amended claim 1. Claims 26 and 27 have been added. Claims 1, 2, 5, 8, 9, 11-14, 22, 26 and 27 are currently pending in the application. Support for claim 26 is shown in at least Figure 5. Namely, element 70 positively locks element 44 to element 32. Additionally, support for claim 27 can be found in at least paragraph [0039].

Priority

On page 2 of the Official Action the Examiner stated “that according to the records, the present application was previously numbered 10/486442” and requested that the specification be amended to note this change.

Applicants respectfully assert that change requested by the Examiner is unnecessary as the priority claim set forth in original paragraph [0001] of the specification is correct in that priority is claimed from international application no PCT/US02/22945. This is specifically set forth on page 2 of the Decision on Petition under 37 CFR 1.137 dated May 26, 2004.

In an attempt to comply with the Examiner’s request, however, Applicants have amended paragraph [0001] to recite:

[0001] This application, previously numbered 10/486,442, claims the benefit of international application serial no. PCT/US02/22945, filed on July 19, 2002, designating the United States and published in English, which claims the benefit under 35 U.S.C. §119(e) of U.S. provisional patent application serial no. 60/306,516, filed on July 19, 2001.

(Emphasis Added). Applicants submit that the amendment to paragraph [0001] satisfies the Examiner's request. If it does not, Applicants request that the Examiner contact the undersigned and state with more specificity exactly what is required to comply with the Examiner's request regarding priority.

35 U.S.C. 103(a) Rejections

Claims 1 and 2 were rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 4,866,904 to Paul in view of U.S. Patent No. 3,292,332 to Jahn.

In effort to move prosecution forward, Applicants have amended claim 1 to include language which describes the keyed aperture with greater particularity. Specifically, claim 1 now recites: "the keyed aperture provides twist lock attachment of the cross member to the first member." Applicants submit that "twist-lock" is a term which accurately describes the progressive locking steps illustrated by Figures 7 (insertion into aperture) and 8 (rotation and locking in aperture). Paragraphs [0038] and [0041] provide further description and support for this added feature, particularly when used in combination with Figures 7 and 8. Neither Paul nor Jahn describes or suggests insertion of one grid member into an aperture extending through another grid member where the grid members are attached to one another via a twist lock provided by the aperture as required by claim 1 as amended.

Applicants respectfully assert that this 103 rejection is moot in view of the amendments to independent claim 1 and, therefore, should be withdrawn.

In addition, Applicants respectfully disagree with the Examiner's assertion that Paul describes a clip which fastens a support structure to a panel. More specifically,

Paul's clip (10) does not fasten support structure (20) to the panel (18) as suggested by the Examiner. Per Paul's description at column 4, lines 1-4, Applicants submit that clip 10, and specifically the lower rectangular support member 16 of clip 10, "rests on" runner 20. Applicants assert that resting one element on another element is not the same as "fastening" one element to another as required by claim 1.

Claims 5, 8 and 22 were rejected under 35 U.S.C. 103(a) as being unpatentable to Paul in view of Jahn, and further in view of U.S. Patent No. 4,471,596 to Deaton.

Applicants note that each of the claims rejected under section 103(a) depend from allowable claim 1 as described above. Accordingly, all of the rejections based on section 103(a) are moot. Applicants respectfully request that these 103 rejections be withdrawn.

Applicants submit that all currently pending claims are believed to be in a condition for allowance. Reconsideration is respectfully requested.

Respectfully submitted,

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Date


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